

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 MICHAEL MONTGOMERY,

11 Plaintiff,

12 vs.

13
14 WAL-MART STORES, INC.;
15 KINDERHOOK INDUSTRIES II, LP;
16 KINDERHOOK INDUSTRIES, LLC;
17 KINDERHOOK CAPITAL FUND II,
18 LP; CRESTWOOD HOLDINGS,
19 INC.; BERGAN, L.L.C.; JOHN
ELMBURG; ROBERT ELMBURG;
ERIC ELMBURG; ROCKY FLICK;
HOME DEPOT U.S.A., INC., AND
DOES 1-20, INCLUSIVE,

20 Defendants.

CASE NO. 12CV3057 JLS (DHB)

**ORDER GRANTING JOINT
MOTION FOR CONTINUANCE OF
DUE DATES FOR OPPOSITION
PAPERS, REPLY PAPERS AND
HEARING DATE OF THE
KINDERHOOK DEFENDANTS'
MOTION TO DISMISS OR, IN THE
ALTERNATIVE, TO STAY**

(ECF No. 61)

21
22 Presently before the Court is the parties' Joint Motion for Continuance of Due
23 Dates for Opposition Papers, Reply Papers, and Hearing Date of the Kinderhook
24 Defendants' Motion to Dismiss or, in the Alternative, to Stay. (ECF No. 61). Good
25 cause appearing, the Court **GRANTS** the motion. Plaintiff Michael Montgomery
26 **SHALL FILE** an opposition to the Kinderhook Defendants' motion on, or before, May

27 ///


28 ///

///

1 30, 2013. The Kinderhook Defendants **SHALL FILE** a reply, if they wish, on, or
2 before, June 6, 2013. The motion will be heard on Friday, June 21, 2013 at 3:00 p.m.

3 **IT IS SO ORDERED.**

4
5 **DATED: May 23, 2013**

6 
7 **Honorable Janis L. Sammartino**
8 **United States District Judge**
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28